

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Appointments and Claims, to which was referred House Bill 1436, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between lines 11 and 12, begin a new paragraph and insert:
- 2 "SECTION 2. IC 4-33-14-5, AS AMENDED BY P.L.92-2003,
- 3 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2004]: Sec. 5. (a) As used in this section, "goods and services"
- 5 does not include the following:
- 6 (1) Utilities and taxes.
- 7 (2) Financing costs, mortgages, loans, or other debt.
- 8 (3) Medical insurance.
- 9 (4) Fees and payments to a parent or an affiliated company of an
- 10 operating agent or the person holding an owner's license, other
- 11 than fees and payments for goods and services supplied by
- 12 nonaffiliated persons through an affiliated company for the use or
- 13 benefit of the operating agent or the person holding the owner's
- 14 license.

(5) Rents paid for real property or payments constituting the price of an interest in real property as a result of a real estate transaction.

(b) Notwithstanding any law or rule to the contrary, the commission shall establish annual goals for an operating agent or a person issued an owner's license:

- (1) for the use of minority and women's business enterprises; and
- (2) derived from a statistical analysis of utilization study of licensee and operating agent contracts for goods and services that are required to be updated every five (5) years.

(c) An operating agent or a person holding an owner's license shall submit annually to the commission a report that includes the **following information:**

(1) The total dollar value of contracts awarded for goods or services and the percentage awarded to minority and women's business enterprises.

(2) The following information relating to each minority business enterprise or women's business enterprise awarded a contract for goods or services:

(A) The name.

(B) The address.

(C) The total dollar amount of the contract.

A record containing information described in this subsection is not exempt from the disclosure requirements of IC 5-14-3-3 under IC 5-14-3-4.

~~(c)~~ (d) An operating agent or a person holding an owner's license shall make a good faith effort to meet the requirements of this section and shall annually demonstrate to the commission that an effort was made to meet the requirements.

~~(d)~~ (e) An operating agent or a person holding an owner's license may fulfill not more than seventy percent (70%) of an obligation under this chapter by requiring a vendor to set aside a part of a contract for minority or women's business enterprises. Upon request, the licensee

1 or operating agent shall provide the commission with proof of the
2 amount of the set aside."

3 Renumber all SECTIONS consecutively.
(Reference is to HB 1436 as introduced.)

and when so amended that said bill do pass.

Representative Harris